

HOUSE No. 1679

By Mr. Cabral of New Bedford, petition of Emile J. Goguen for legislation to further regulate the use of coal in electric generating facilities. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT FURTHER REGULATING COAL IN ELECTRIC GENERATING FACILITIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 164 of the General Laws, as appearing in the 2002
2 Official Edition, is hereby amended by inserting after section 69I
3 the following section:—
4 Section 69I½. Notwithstanding the provisions of this chapter or
5 any law to the contrary, an electric generating facility constructed
6 or commencing operation on and after January first, nineteen hun-
7 dred and ninety-six shall utilize coal only as a last resort for a fuel
8 source and if a facility determines that coal is the only alternative
9 available, the burden of proof of such determination shall be on
10 the facility; provided, however, that cost shall not be a factor in
11 such determination.